

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MICHAEL SCHILLER, et al.,

NOTICE OF MOTION

Plaintiffs,

-against-

CITY OF NEW YORK, ET AL.,

Defendants.

04-CV-7922 (RJS) (JCF)

RNC CONSOLIDATED CASES¹

(RJS) (JCF)

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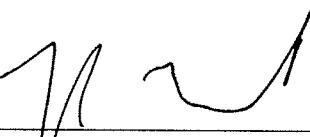
PLEASE TAKE NOTICE that, upon the annexed Local Civil Rule 56.1 Statement, dated October 3, 2011; the Declaration of Assistant Corporation Counsel Fred M. Weiler, dated October 3, 2011, and the exhibits annexed thereto; the accompanying Memorandum of Law; and upon all prior pleadings and proceedings had herein, defendants will move this Court before the Honorable Richard J. Sullivan, United States District Judge, at the United States Courthouse for the Southern District of New York, located at 500 Pearl St. New York, New York 10007, at a date and time to be determined by the Court, for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure to dismiss plaintiffs' federal and state law false arrest claims in relation to arrests in the vicinity of Church and Fulton Streets on August 31, 2004, and for such other and further relief as the Court may deem just and proper.

¹Defendants are filing this motion in the following cases: *Schiller v. City of New York*, 04 CV 7922; *Abdell v. City of New York*, 05 CV 8453; *Macnamara v. City of New York*, 04 CV 7921; *Pagoda v. City of New York*, 05 CV 7546; *Meehan v. City of New York*, 05 CV 5268; and *Botbol v. City of New York*, 05 CV 1572.

PLEASE TAKE FURTHER NOTICE that opposition papers, if any, must be served on the undersigned on or before November 3, 2011 pursuant to the Court's prior order.

Dated: New York, New York
October 3, 2011

MICHAEL A. CARDOZO
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By: 

Fred M. Weiler
Cheryl L. Shammash
Peter G. Farrell

TO: RNC Plaintiffs' Attorneys in:

Schiller v. City of New York, 04 CV 7922
Abdell v. City of New York, 05 CV 8453
Macnamara v. City of New York, 04 CV 7921
Pagoda v. City of New York, 05 CV 7546
Meehan v. City of New York, 05 CV 5268
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